PTO/SB/21 (08-03) Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE aper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **TRADEMA** Application Number 10/646,274 TRANSMITTAL Filing Date August 22, 2003 **FORM** First Named Inventor Bardy, Gust H. (to be used for all correspondence after initial filing) Art Unit 3762 Examiner Name Unassigned Total Number of Pages in This Submission Attorney Docket Number 020.0340.US.CON **ENCLOSURES** (check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Fee Attached Licensing-related Papers of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Amendment / Reply Petition Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address

### Other Enclosure(s) (please Extension of Time Request Terminal Disclaimer identify below): 12 U.S. Patents **Express Abandonment Request** Request for Refund **Postcard** Information Disclosure Statement CD, Number of CD(s) Remarks Certified Copy of Priority Document(s) Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Law Offices of Patrick J.S. Inouye Individual name Signature April 28, 2004 Date

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.P. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Type or printed name Krystyna Szul

Signature Date April 28, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** 

# APR 3 0 2004 Ly

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Bardy Gust H.

Serial No.: 10/646,274

Filed: August 22, 2003

Title: System And Method For Diagnosing

And Monitoring Myocardial Ischemia For Automated Remote Patient Care

Attorney Docket No.: 020.0340.US.CON

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Group Art Unit: 3762

Examiner: Unassigned

## INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

X	under 37 CFR 1.97(b), or (Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)
	under 37 CFR 1.97(c) together with either a:  Statement under 37 CFR 1.97(e), or  a \$180.00 fee under 37 CFR 1.17(p), or  (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)
	under 37 CFR 1.97(d) together with a:  Statement under 37 CFR 1.97(e), and  a \$180.00 fee set forth in 37 CFR 1.17(p).  (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)

X Applicant(s) submit herewith Form PTO 1449-Information Disclosure Citation together with copies, of patents, publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which Applicant is aware. Applicant submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

It is requested that the information disclosed herein be made of record in this application.

Respectfully submitted,

**Customer Number: 22895** 

Patrick J.S. Inouye

Attorney/Agent for Applicant(s)

Reg. No. 40297

Date: April 28, 2004

Telephone No.: (206) 381-3900

PTO/SB/08a (08-03)

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Substitute for form 1449A/PTO

1

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Sheet

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Complete if Known			
Application Number	10/646,274		
Filing Date	August 22, 2003		
First Named Inventor	Bardy, Gust H.		
Art Unit	3762		
Examiner Name	Unassigned		
Attorney Docket Number	020.0340.US.CON		

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.1	Document Number  Number - Kind Code <sup>2 (if known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Cite No. <sup>1</sup>	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	MM-DD-YYYY	Applicant of Cited Document	or Relevant Figures Appear	<del>                                     </del>
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					<b> </b>
	Cite No.1	Foreign Patent Document Cite	Foreign Patent Document Publication Date	Cite Application Date Applicant of Cited Document	Foreign Patent Document  Publication Date  Name of Patentee or Where Relevant Passages  AMADD YVVV Applicant of Cited Document

Commisses	Date	
Examiner	Considered	
Signature	Considered	is the sufference and no

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For USPTO Patent Documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language

Translation is attached.

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